

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

FILED  
CLERK'S OFFICE  
2005 SEP -1 P 12:55

MARK ULIANO, )  
Plaintiff )  
vs. )  
CIVIL ACTION  
NO. 04-10797 GAO  
MARIE H. BISSEL and )  
KENNETH J. TILDEN, )  
Defendants )

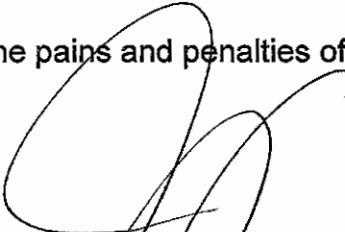
**AFFIDAVIT OF NOTICE OF INTENTION TO USE**  
**MEDICAL REPORTS AS EVIDENCE**

I, James C. Crowley, Jr., attorney for the defendant in the above-entitled action, make oath that on August 23, 2005, I gave notice pursuant to the provisions of General Law, Chapter 233, Section 79G, of my intention to offer in evidence at the trial of the above case, the medical records from the following providers concerning medical services rendered to the plaintiff:

1. Robert R. Pennell, M.D.

by mailing copies of the same to all counsel of record. Attached is the return receipt.

Subscribed and sworn to under the pains and penalties of perjury this 29th day of August, 2005.



James C. Crowley, Jr.  
Fuller Rosenberg, Palmer & Beliveau  
340 Main Street, Suite 817  
Worcester, MA 01608  
(617) 756-3671  
BBO # 562664

## SENDER: COMPLETE THIS SECTION

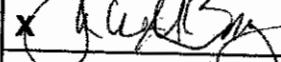
## COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

James T. Sullivan, Esq  
Avery Dooley Post & Avery  
90 Concord Avenue  
Belmont, MA 02478

## A. Signature



Agent  
 Addressee

## B. Received by (Printed Name)



C. Date of Delivery  
8/26/05

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 2. Article Number

(Transfer from service label)

7004 2890 0003 1160 3987

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## RE: COMPLETE THIS SECTION

## COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

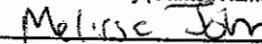
Stephen J. Delamere, Esq  
Bierhans, Delamere & Cohen  
294 Pleasant St., Suite 204  
Stoughton, MA 02072

## A. Signature



Agent  
 Addressee

## B. Received by (Printed Name)



C. Date of Delivery  
8/26/05

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 2. Article Number

(Transfer from service label)

7004 2890 0003 1160 3970

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## SENDER: COMPLETE THIS SECTION

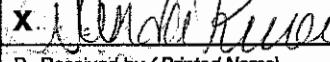
## COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Elton Watkins, III, Esquire  
238 Essex Street, 2nd Floor  
Lawrence, MA 01840

## A. Signature



Agent  
 Addressee

## B. Received by (Printed Name)



C. Date of Delivery  
8/26/05

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 2. Article Number

(Transfer from service label)

7004 2890 0003 1160 3994

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## 3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

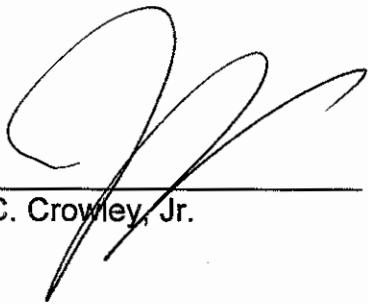
**CERTIFICATE OF SERVICE**

I, James C. Crowley, Jr., hereby certify that I served the foregoing document by mailing a copy of same, first class mail, postage prepaid, to the following counsel of record:

Stephen J. Delamere, Esquire  
Bierhans, Delamere & Cohen, LLLC  
294 Pleasant Street, Suite 204  
Stoughton, MA 02072

James T. Sullivan, Esquire  
Avery Dooley Post & Avery, LLP  
90 Concord Avenue  
Belmont, MA 02478

Elton Watkins, III, Esquire  
238 Essex Street, 2<sup>nd</sup> Floor  
Lawrence, MA 01840



James C. Crowley, Jr.